

REMARKS

Claims 1-34 and 42-48 are presented in the present application. Claims 1-18, 22-34 and 42-45 have been allowed. Claims 1, 4-23, 26, 29 and 42-45 have been amended and new claims 46-48 have been added to more positively recite the novel features of the present invention. These amended and new claims do not include any new subject matter and support can be found, among other places, at page 21, table 2, of the specification as well as in the originally filed claims. Applicant respectfully requests admission of amended claims 1, 4-23, 26, 29 and 42-45 and new claims 46-48.

At page 2 of the Office Action, the Examiner objected to claims 9, 12, 15, 18, 19, 22, 23, 26, 29, 42 and 43 because of certain informalities in the claims. In addition, the Examiner suggested certain changes to claim 1 for clarification purposes. Applicant believes that these claims have been amended in a manner consistent with that requested by the Examiner. In addition, the preamble for claims 5-21 has been amended to recite a coated article so as to be consistent with independent claim 1. Claims 42-45 have been amended to amend informalities in the preamble portion of the claims. Claims 4 and 14 have been amended to correct informalities in the claims and, in particular, will clearly recite elements of the coating that were recited in claims from which claims 4 and 14 depend.

Claims 19-21 have been rejected under 35 U.S.C. 112, second paragraph, as discussed in the Office Action. Claim 19 has been amended so as to delete reference to "the second dielectric film of the second dielectric layer and the second dielectric film of the third dielectric second layer". More specifically, amended claim 19 recites that the second dielectric layer includes a third dielectric film over the first zinc stannate film of the second dielectric layer. This amendment to claim 19 now provides proper antecedent basis for the "third dielectric film of the second dielectric layer" recited in claim 20. Claim 21 has been amended so as to recite that the protective layer "includes" a titanium metal film. This amendment to the claim is consistent with the recitation in independent claim 1 that the coating includes a protective layer of at least two films.

Based on the above, Applicant respectfully requests consideration of amended claims 1, 4-23, 26, 29 and 42-45; reconsideration of claims 2, 3, 24, 25, 27, 28 and 30-34 and allowance of claims 1-34 and 42-45.

New claim 46 has been added to more positively recite the novel feature of the present invention. In particular, claim 46 is similar to claim 19 except that it is the third dielectric layer rather than the second dielectric layer which includes the third dielectric film.

New claim 47 which depends from claim 21 has been added to recite that the protective coating further includes a titanium oxide film.


New claim 48, which incorporates portions of claims 1, 14 and 21, recites an infrared reflective coated article comprising a glass substrate, a first dielectric layer over the substrate, a first infrared reflective layer over the first dielectric layer, a first metal primer layer over the first infrared reflective layer, a second dielectric layer over the first metal primer layer, a second infrared reflective layer over the second dielectric layer, a second metal primer layer over the second infrared reflective layer, a third dielectric layer over the second metal primer layer and a protective layer over the third dielectric layer. Each of the first, second and third dielectric layers includes a zinc stannate film and a dielectric film wherein the dielectric film in each of the dielectric layers is different from the zinc stannate film in the corresponding dielectric layer. The first and second infrared reflective layers are silver films. The first and second metal primer layers are titanium films. The protective layer is a titanium metal film. The claim further recites the thickness range for each of the films in the layers. Applicant believes that since claim 48 incorporates portions of the claims 1, 14 and 21 and these claims should be allowable, new claim 48 should similarly be allowable.

Based on the above, Applicant respectfully requests consideration and allowance of new claims 46-48.

Applicant believes the present case is now in condition for allowance of all claims and such action is respectfully requested. If there are any issues left to be resolved, the Examiner is requested to contact Applicant's attorney at the telephone number provided below.

Respectfully submitted,

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